

# MINUTES OF THE PUBLIC MEETING OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

Held April 04, 2023  
Public Meeting 4:00PM  
Mohave Valley Irrigation & Drainage District  
1460 E. Commercial Street, Mohave Valley, AZ 86440

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mohave Valley Irrigation and Drainage District and to the general public that the Mohave Valley Irrigation and Drainage District will hold a meeting open to the public on Tuesday, April 04, 2023 at 2:00 pm via Microsoft Teams Meeting. As indicated in the agenda, pursuant to A.R.S. § 38-431.03(A) Item 2a, 2b, 8H, 8I, 8J, and 8K the Mohave Valley Irrigation & Drainage District may vote to go into executive session, which will not be open to the public, to discuss certain matters. The board will reconvene in Open Session via Microsoft Teams beginning at 4:00pm.

Microsoft Teams Meeting Open Session

[Click here to join the meeting](#)

Meeting ID: 211 937 578 29

Passcode: dvVvA8

**CALL TO ORDER.** Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:12pm.

## 1. ROLL CALL.

Present: Charles ("Chip") B. Sherrill, Jr., Chairman/Director Division III  
Clay Vanderslice, Director at Large  
Kerri Hatz, General Manager

Via Teams: Vince Vasquez, Director Division II  
Perry Muscelli, Treasurer/Director at Large  
Michael J. Pearce, District Counsel

Absent: John Kai, Jr., Director Division I

**2. Consideration of Action to go into Executive Session of the Board for the following purposes:** Clay Vanderslice made a motion to go into executive session, Perry Muscelli seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

- a. \*Pursuant to A.R.S. §38-431.03(A)(3)(4) & (7), discussion and consultation with legal counsel of the District to obtain legal advice on any matter listed on the agenda.
- b. \*Discussion and consultation with legal counsel regarding water allocations within the District.

*[The discussions and minutes of the executive session shall be kept confidential. The executive session of the Board is not open to the public.]* Clay Vanderslice made a motion to adjourn executive session, Perry Muscelli seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez- Y; Sherrill – Y. 3:49 pm.

3. **RECONVENE IN OPEN SESSION.** Open Session reconvened at 4:04pm.
4. **PLEDGE OF ALLEGIANCE.** Perry Muscelli led the Pledge of Allegiance.
5. **WAIVER MOTION.** Motion to waive the reading of full minutes and resolutions presented for approval or adoption. Perry Muscelli made a motion to waive the reading of the full minutes and or resolutions presented for approval or adoption, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
6. **AGENDA MODIFICATION.** Possible action to withdraw from or move any item on the agenda. No action taken.
7. **REPORTS.**
  - Water: Staff summarized the District water use for the date ending February 28, 2023 and Perry Muscelli and Vince Vasquez commented on current Lake Powell and Lake Mead elevations.
    - a. Staff report on District water use.
    - b. Bureau of Reclamation Lower Colorado Water Supply Report.
  - Finances: Staff reviewed the finances with the Board of Directors.
    - c. Profit & Loss Budget vs. Actual year to date July 01, 2022, thru February 28, 2023
    - d. Profit & Loss Statement for February 2023.
    - e. Balance Sheet as of February 28, 2023.
  - Other:
    - f. MVIDD Staff Report. – General information to update the board members. Staff advised the Board of Directors:

The Law of the Colorado River Conference is in Scottsdale on Thursday and Friday, May 18<sup>th</sup> and 19<sup>th</sup>.

Last month on March 16<sup>th</sup>, Mr. Pearce and Kerri Hatz attended the Water Round Table in Goodyear with Congressman Paul Gosar.

## 8. REGULAR AGENDA

### A. Approve the March 07, 2023 Regular Session Meeting Minutes.

Discussion and possible action to approve the regular meeting minutes for last month. Vince Vasquez made a motion to approve the meeting minutes, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

### B. Approve the March 07, 2023 Executive Session Meeting Minutes.

Discussion and possible action to approve the executive session meeting minutes for last month. Clay Vanderslice made a motion to approve the executive session meeting minutes, Vince Vasquez seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**C. Ratify Expenses for March 2023.** Discussion and possible action to ratify the expenses for last month. Perry Muscelli made a motion to ratify the expenses for last month, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**D. Mohave Landing, Tract 4213B: T18N, R22W, Section 23; APN: 225-24-071. Request for an Extension of Preliminary Water Allocation for 52 residential lots.** Discussion and possible action regarding the extension request for a preliminary water allocation. This is a request for 12 months; the current extension expires April 10, 2023. Fees representing 2/3 of the total fees due have been paid and the final 1/3 of the fees will be required at the time of the request for the Final Water Allocation. Staff reviewed the extension request with the Board of Directors. The subdivision is making great progress with grading, and the developer is ready to submit their Final Plat to Mohave County Development Services for review and approval. Perry Muscelli made a motion to approve a twelve (12) month extension, Clay Vanderslice seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**E. Mohave Landing, Tract 4213C: T18N, R22W, Section 23; APN: 225-24-071. Request for an Extension of Preliminary Water Allocation For 42 residential lots.** Discussion and possible action regarding the extension request for a preliminary water allocation. This is a request for 12 months; the current extension expires April 10, 2023. Fees representing 2/3 of the total fees due have been paid and the final 1/3 of the fees will be required at the time of the request for the Final Water Allocation. Staff reviewed the extension request with the Board of Directors. This is the same subdivision as previously discussed, however it is Phase C. Perry Muscelli made a motion to approve a twelve (12) month extension, Vince Vasquez seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**F. Suzanne Evans; 9638 Evans Lane, Mohave Valley; T17N, R22W, Sec. 09; APN(s): 216-11-117; Application to transfer AG Entitlement Contract 2011-01 (Beverly Kelley) for 146.16-acre feet of water to Suzanne Evans.** Discussion and possible action regarding the request to transfer Contract 2011-01 for 146.16-acre feet of AG Water for 20.88 Irrigable acres to the new owner of the property. Parent Parcel 216-11-069 was split with Mohave County; Parcel 216-11-117 will be the farmed parcel where the contract is being transferred to. This parcel is 22.83 gross county acres. (Tabled from the March 07, 2023 Regular Board Meeting) Staff reviewed the application and the new farm plan information with the Board of Directors. Staff also advised that a site visit was done, and this will be primarily flood irrigation through a 4" PVC Pipe from a domestic well and this will need a flow meter to be installed. Suzanne Evans answered questions from the directors. Clay Vanderslice made a motion to approve transferring 146.16-acre feet of water from Contract 2011-01 to Suzanne Evans, Vince Vasquez seconded the motion. All in favor, motion passed. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

**G. Matthew and Lynne Hyland; T19N, R21W, Sec. 31; APN(s): 221-35-001; Request to address the Board of Directors Regarding Future Development of Their Land.** Discussion only regarding the future development of 16.26 acres and acquiring water allocations for the development. Staff reviewed the map of the parcel and proposed parcel splits with the Board of Directors and advised that the Hyland's had questions regarding the development of their land. Questions and answers ensued between the Hyland's and the directors. The conclusion is that there are too many unknowns regarding the development of each of the lots and Vince Vasquez suggested that buying farmland with water rights might be an option

for their future water needs for the development of their property. They would need to continue farming and could transfer water to their project as it moves forward. Vince Vasquez expressed that the board could not advise how to proceed, that they can only try to help with the paths to acquire water. No action taken.

**H. \*Fiscal Year July 2023 – June 2024 Budget Review.** Discussion only to review and make comments on the next fiscal year budget. Staff reviewed the preliminary budget with the Board of Directors. No action taken.

**I. \*July 01, 2023 Comprehensive Fee Schedule and Payment Rules.** Discussion only to review and make comments regarding possible updates to the Comprehensive Fee Schedule and Payment Rules. Staff reviewed the fee schedule and payments rules with the Board of Directors. No action taken.

**J. \*Mohave County 2023 Tax Levies and Rates Certification.** Discussion only to review and make comments regarding possible updates to the Tax Review and Rates Certification. Staff review the Tax Levies and Rates Certification with the Board of Directors. No action taken.

**K. \*2023 System Conservation Agreement.** Discussion regarding the draft system conservation agreement. Mr. Pearce, District Counsel, updated the board members regarding the draft system conservation agreement and his latest conversation with Jeremy Dodds with Reclamation. No action taken.

- 9. CALL TO THE PUBLIC.** *Those wishing to address the Board at the Call to the Public regarding matters not on the Board agenda can request to do so at this time. Action Taken as a result of public comments will be limited to responding to criticism, referral to staff, or placing a matter on a future Agenda. Comments are restricted to items **NOT** on the Regular Agenda and must relate to matters within the jurisdiction of the Board. No members of the public addressed the board of Directors.*

Attendance via Teams: Joe Stone, Matt & Lynne Hyland, Che, Sam Elters, Doug and Trudi Bay, Luke, and Karen Summitt.

MVIDD District office: Suzanne Evans, Steve Cross, and Bob Boyd.

- 10. ADJOURNMENT.** Perry Muscelli made a motion to adjourn, Clay Vanderslice seconded the motion. All in favor, motion passed. The meeting

was adjourned at 5:05pm. Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

Agendas are available on our website [www.mvidd.net](http://www.mvidd.net), as well as posted outside the District office bulletin board outside the office door located at 1460 E. Commercial Street, Mohave Valley, AZ 86440. To subscribe to agenda notifications please visit our website.

Pursuant to the Americans with Disabilities Act (ADA), Mohave Valley Irrigation & Drainage District endeavors to ensure the accessibility of all its programs, facilities, and services to all persons with disabilities. For an accommodation, please contact the District office at 928-768-3325. Requests should be made 48 hours prior to the meeting to arrange the accommodation.

Items on Agenda marked with an asterisk (\*) will be discussed in executive session with District counsel in accordance with A.R.S. § 38-431.03(A)(3)(4) & (7).

Vote Key: Y = YES; N = NO; A = ABSTAIN